

Civil Enforcement Case Report

Civil Enforcement Case

Basic Information

Case Number: 04-2014-1505

Case Name: E.I. DU PONT NEMOURS AND COMPANY

Case Category: Administrative - Formal

Case Status (as of 07/02/2014): Closed

Case Lead: EPA

Court Docket Number: CAA-04-2014-1505(b)

DOJ Docket Number: --

Relief Sought: --

Enforcement Outcome: Final Order With Penalty

Headquarters Division: --

Branch: --

Result of Voluntary Disclosure? No

Multi-media Case? --

Enforcement Type: CAA 113D1 Action For Penalty

Violations: Risk Management Plan - CAA

Penalties – Case Level

Total Federal Penalty Assessed or Agreed To: \$3,500

Total State/Local Penalty Assessed: \$0

Total SEP Cost: \$13,248

Total Compliance Action Cost: \$100

Total Cost Recovery: \$0

Case Summary

6/12/2014 - CONSENT AGREEMENT AND FINAL ORDER ISSUED, ASSESSING A PENALTY OF \$3,500. RESPONDENT SHALL MAKE PAYMENT WITHIN THIRTY DAYS. RESPONDENT ALSO AGREES TO COMPLETE A SEP.ORDER ALLEGES:BASED ON AN RMPROGRAM COMPLIANCE MONITORING INVESTIGATION ON OCTOBER 16-17, 2012, THE EPA ALLEGES THAT THE RESPONDENT VIOLATED THE CODIFIED RULES GOVERNING THE CAA CHEMICAL ACCIDENT PREVENTION PROVISIONS, BECAUSE RESPONDENT DID NOT ADEQUATELY IMPLEMENT PROVISIONS OF 40 CFR PART 68 WHEN IT:FAILED TO CERTIFY ANNUALLY THAT OPERATING PROCEDURES ARE CURRENT AND ACCURATE AS REQUIRED BY 40 CFR SECTION 68.69(a);FAILED TO INCLUDE ON THE REGISTRATION FORM, THE CORRECT MAXIMUM QUANTITY (IN POUNDS) OF EACH REGULATED SUBSTANCE IN THE RAILCAR STORAGE PROCESS AS REQUIRED BY 40 CFR SECTION 68.160(b)(7);FAILED TO SUBMIT A CORRECTED RMP WITHIN ONE MONTH OF ANY CHANGE IN THE EMERGENCY CONTACT INFORMATION AS REQUIRED BY 40 CFR SECTION 68.195(b).

Laws and Sections

Law	Sections	Programs
CAA	112[R] [7]	Prevention of Accidental Release/Risk Management Plans (RMPs)

Citations

Title	Part	Section
No data records returned		

Facilities

FRS Number	Facility Name	Address	City Name	State	Zip	SIC Codes	NAIC Codes
110000379876	DU PONT WURTLAND PLANT	400 HARRIS RD.	WURTLAND	KY	41144	2819 2822	325188
110000379876	E I DUPONT DE NEMOURS - WURTLAND PLANT	400 HARRIS RD	GREENUP	KY	41144	2819 2822	325188

Defendants

Defendants and Settlements	In Complaint	In Settlement
E.I. DU PONT NEMOURS AND COMPANY	Y	Y

Related Case Documents

Document	Facility Name	Publish Date	EPA Program
No data records returned			

Case Milestones

Event	Actual Date
Final Order Issued	06/12/2014
Complaint Filed/Proposed Order	06/12/2014
Enforcement Action Data Entered	06/18/2014
Enforcement Action Closed	07/02/2014

Pollutants

Pollutant Name	Chemical Abstract Number
No data records returned	

Related Activities

Description	Actual Date
No data records returned	

Final Order 1

Final Order Type: Administrative Penalty Order With or Without Injunctive Relief

Final Order Name: E.I. DU PONT NEMOURS AND COMPANY

Linked Facilities (FRS ID): 110000379876

Final Order Lodged Date: --

Final Order Entered Date: 06/12/2014

Enforcement Action Closed Date: 07/02/2014

Actual Termination Date: --

Penalties/SEPs/Cost Recovery Amounts

Federal Penalty Assessed or Agreed To: \$3,500

State/Local Penalty Assessed: --

SEP Value: \$13,248

Compliance Action Cost: \$100

Federal Cost Recovery Awarded: \$0

Complying Actions

Complying Action ID	Category	Description
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Complying Action ID	Category	Description
3400016848	Prevention of Future Releases	Risk Management Plan Implemented

Supplemental Environmental Projects

SEP ID	Category	SEP Value	Description
3400003083	Emergency Planning and Preparedness	\$13,248	DONATION OF EQUIPMENT TO THE WURTLAND FIRE DEPARTMENT

Pollutant Reductions

Resulting From	Pollutant	Annual Amount	Units	Media Affected
CA ID 3400016848	Sulfur trioxide	558,000	lbs	Air
CA ID 3400016848	Hydrogen	250,000	lbs	Air
CA ID 3400016848	Sulfuric acid	4,320,000	lbs	Air